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10 **TITLE: ILLUMINATED HIGHLIGHTER AND ADVERTISING VEHICLE**

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15 **BACKGROUND OF THE INVENTION**

 The present invention relates to writing instruments capable of self illumination. More specifically, the present invention relates to a pen, marker, or highlighter with an electrically powered source of illumination contained within the device. The present invention even more
20 specifically relates to a highlighter marker that has a powered light source, the light being guided towards the central axis of an ink reservoir containing a collection of ink, and preferably a flourescent ink. The ink will luminesce, glow, and emit light when the light source is switched on. The present invention also relates to a method of advertising by providing a consumer or a business with a writing instrument capable of illuminating an ink reservoir.

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 There are several varieties of writing instruments. Highlighting markers are also well known in the prior art. Typically, these specialized markers are utilized, for example, by students to mark important text in a book, or by office personnel and professionals to mark important parts of documents. Over the years, several ink colors have become available besides the

customary yellow markers. More recently, fluorescent highlighting ink has been available as a choice to the consumer. Furthermore, some manufacturers of highlighter markers have utilized a clear ink reservoir as part of a writing instrument body in order to display the ink remaining within the reservoir and to make the writing instrument more interesting in appearance. These
5 markers with a clear ink reservoir have become very popular.

Combining a writing instrument with a light source is also well known in the art. The motivation to do so is usually to provide light for the user of the instrument to see a writing surface in a darkened room. However, lights have also been combined with pens to provide
10 either an interesting visual effect or to bring advertising to the attention of a consumer. In the prior art, only the exterior of the writing instrument has been illuminated. The prior art, in fact, teaches away from directing light into an ink reservoir.

U.S. Patent no. 6,164,856 to Lo discloses a lighted pen in which logos on a transparent
15 body and the pen tip are illuminated by means of a light source and a convex circular cylindrical optical lens. The writing implement has a built-in illumination system that includes a pen-top, a translucent pen-body, and a translucent pen-tip. A battery, an electrical switch and a lamp are housed within the pen-top. A convex circularly cylindrical optical lens is positioned between said lamp and said marking element so that light from the lamp is diverted away from the central
20 axis of the pen, towards the peripherally translucent pen-body. The light then propagates along the periphery of the pen to the pen-tip. As a result of the lens, printed information located on the pen-body is illuminated, as well as a region located immediately adjacent to the pen-tip. In this patent, the pen ink itself is not illuminated and this patent teaches away from directing light down the center axis into an ink reservoir.

25 U.S. Patent no. 5,405,208 to Hsieh discloses a pen with illuminating function. A switch assembly is disposed in an upper end of the upper pen sleeve, whereby a circuit is opened or closed to turn on or off a bulb or LED located at the pen tip. The pen provides an illuminating effect for the user to write in a dim place while enabling the user to write without obstruction. In

this patent, the pen ink is not illuminated and the LED is in the very tip of the writing end of the pen.

U.S. Patent no. 6,238,057 to Chen discloses a combination light pen, wherein the lower
5 barrel comprises a water chamber disposed around an ink cartridge, with display items floating
inside the water chamber. Light from an LED passes through the items in the water chamber and
illuminates them. Here, the illuminated chamber contains water and does not contain ink. The
ink cartridge is isolated from the illumination. Also, there is no light conductive member
directing the path of the light towards the central axis of the pen. Finally, the liquid in the
10 illuminated chamber is not fluorescent.

U.S. Patent no. 6,299,372 to Wang discloses an advertising effect photo pen. The front
tube of the pen is a hollow transparent material and a refill is connected at a front end. The
surface of the front tube is formed with a transparent surface and a shielding surface and the
15 shielding surface or the transparent surface has advertise patterns. When the user touches a light
emitting unit, the transparent surface and the surface of the front tube will light up to present an
advertise effect. The light is not directed through the ink and the ink does not glow or light up.

Other patents disclosing illuminating pens with a switched light source are U.S. Patent
20 nos. 6,439,735; 6,390,641; 6,129,473; 6,099,185; 5,803,583; 5,470,164; 5,143,465; 4,518,274.
None of these patents teach the desirability of guiding the light emitted from a light source
directly into the ink chamber. Directing light down the central axis of an ink reservoir is not
disclosed in the prior art. Moreover, the prior art teaches away from directing light down the
central axis of a writing instrument. Furthermore, none of these patents teach using a light
25 source to illuminate ink, and more specifically a fluorescent ink, in combination with a writing
instrument.

SUMMARY OF THE INVENTION

It is an object of the present invention is to provide a light source within a writing instrument thereby providing an unusual and interesting visual effect. Additionally, it is an object of the present invention to provide a highlighting type of marker with a light source that will illuminate the ink in an ink reservoir. The visual effect will capture the interest of the consumer and will result in increased sales of the marker.

Another objective of the present invention is to guide the light from a light source down the central axis of an ink reservoir into a transparent or translucent ink reservoir, wherein by directing the light generally down the central axis of the ink reservoir, the ink in the reservoir with glow. Furthermore, by providing an ultraviolet ("black light") light source, a fluorescent ink in the ink reservoir will glow or luminesce extra brightly.

Another object of the present invention is to provide a method of advertising utilizing a writing instrument with an illuminated ink chamber. The method includes attracting the attention of a consumer to advertising upon a writing instrument. The method further includes providing the writing instrument to a business. Advertising is placed on the pen body. An unusual and interesting visual effect comprising glowing illuminated ink within a writing instrument, will attract the attention of a consumer or business to the advertising associated with the writing instrument.

In the preferred embodiment of the present invention, the objectives are provided by an illuminated writing instrument comprised of a light source. Said light source, is connected with a power supply, and the light source is controlled by a switch. An ink reservoir capable of transmitting light is incorporated into the writing instrument body. The ink reservoir contains ink, preferably marking ink. The marking ink, furthermore, may be fluorescent which will cause the ink to glow brightly when illuminated by the light source. The writing instrument in the preferred embodiment further comprises a light conducting member that guides the illumination

from the light source generally into the center axis of the ink reservoir. The light conducting member helps to guide and focus the light into the ink within the reservoir. The light causes the ink within the reservoir to luminesce. A pen tip is in communication with the ink reservoir. Various pen tips well known in the prior art are suitable. In the preferred embodiment, the writing instrument is a highlighting marker and the marking ink is fluorescent. The light source may be an ultraviolet "black light", that causes the ink to glow even more brightly and produces a spellbinding visual effect.

Still other objects and advantages of the present invention will become readily apparent to those skilled in the art from the following detailed description, wherein only the preferred embodiment of the invention is shown and described, simply by way of illustration of the best mode contemplated of carrying out the invention. As will be realized, the invention is capable of other and different embodiments, and its several details are capable of modifications in various obvious respects, all without departing from the invention. Accordingly, the drawing and description are to be regarded as illustrative in nature, and not as restrictive.

BRIEF DESCRIPTION OF THE DRAWINGS

The foregoing objects, features, advantages and preferred embodiments of the evacuation unit and method of the present invention will be better understood from the following detailed description taken in conjunction with the accompanying drawings in which:

FIG. 1 illustrates a side view of an embodiment of this invention showing the assembled writing instrument of the present invention and a pen cap;

FIG. 2 illustrates a side view of an embodiment of this invention showing the upper section disassembled from the lower section and further showing the electrical components of the writing instrument of the present invention;

FIG. 3 is a cross sectional view of the assembled writing instrument of the present invention without the pen cap in place;

5 FIG. 4 illustrates the lower section with the ink transporting member disconnected from the ink reservoir; and;

FIG. 5 shows the electrical components, including the electrical housing, in more detail and also shows a part of the electrical switch.

10 **DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS**

The accompanying Figures depict embodiments of the present invention, and features and components thereof. With regard to means for fastening, mounting, attaching or connecting the components of the present invention to form the apparatus as a whole, unless specifically
15 described otherwise, such means are intended to at least encompass conventional fasteners such as machine screws, machine threads, snap rings, hose clamps such as screw clamps and the like, rivets, nuts and bolts, toggles, pins and the like. Components may also be connected by friction fitting, snap fitting, adhesives, threads, or by welding or deformation, if appropriate. Unless
20 specifically otherwise disclosed or taught, materials for making components of the present invention are selected from appropriate materials such as metal, metallic alloys, natural or synthetic fibers, plastics and the like, and appropriate manufacturing or production methods including casting, extruding, molding and machining may be used.

25 Any references to front and back, right and left, top and bottom, upper and lower, superior and inferior, and horizontal and vertical are intended for convenience of description, not to limit the present invention or its components to any one positional or spacial orientation. Any references to "pen" is intended to encompass a variety of writing instruments well known in the art.

Referring more specifically to the drawings, there is shown in FIG. 1 a preferred embodiment demonstrating the features of the present invention is illustrated. The preferred embodiment is a highlighting marker, although the present invention encompasses other kinds of writing instruments well know in the art. As illustrated, there is a writing instrument body **100** comprised of an upper section **110** capable of connection with a lower section **120**. In the preferred embodiment, the walls of the upper section **110** and the lower section **120** are comprised primarily of a clear acrylic plastic. However, other suitable materials may be utilized. A pen cap **170** typically is provided to connect with the lower section **120** and is utilized to cover and protect a pen tip **160**, and shirt pockets, when the writing instrument is not in use.

Referring also now to FIG. 2, in the preferred embodiment, the upper section **110** and lower section **120** are capable of connecting with each other by threads **125**. The lower section **120** is comprised of an ink reservoir **130**, and a light conducting member **140**. The lower section **120** is further connected with an ink transporting member **150**. In the preferred embodiment, the ink reservoir **130** is capable of containing ink **135** and has a wall capable of transmitting light. The bottom end of the ink reservoir **130** is in fluid communication with the ink transporting member **150**.

The ink reservoir **130** wall, being preferably transparent or translucent, is capable of transmitting light, thus allowing visibility of the ink **135** to the consumer. The ink reservoir **130** may either be added as a separately constructed chamber that is inserted into the writing instrument body **100** during manufacture of the writing instrument, or the ink reservoir **130** may be integrally formed into the lower section **120** of the writing instrument body **100**, for example by molding or injection techniques. In the preferred embodiment, the writing instrument body **100** and ink reservoir **130** are comprised of a clear acrylic plastic. The ink reservoir **130** contains ink **135**, for example marking ink. This ink **135** may be of any color, but pastel colored inks will transmit light best. In the preferred embodiment, typical flourescent highlighter ink, for example yellow, pink, and other well known highlighter ink colors, is situated in the ink reservoir **130**. Distally, the ink **135** is in fluid communication with the pen tip **160**.

Referring now also to FIG. 3, the light conducting member **140** is integrated into or connected with the top of the ink reservoir **130**, and protrudes downward into the ink reservoir **130**. In the preferred embodiment, the light conducting member **140** is comprised of the same material as the ink reservoir **130**, and they are both preferably injection molded as an integrated piece during manufacture. The light conducting member **140** in this preferred embodiment is an acrylic shaft, but those in the art will readily recognize other equally suitable materials that conduct light that could be utilized, for example plastics, glass, and fiberoptic materials. Furthermore, in alternative embodiments, the light conducting member **140** could be separately manufactured and then connected with the ink reservoir **130**. The light conducting member **140** is preferably slightly conical or rod shaped, but other shapes and configurations could effectively be utilized. The light conducting member **140** is generally aligned with the central axis of the ink reservoir **130**. The light conducting member **140** functions to direct the light from a light source **200** into the ink **135**. The light is directed generally down the center vertical axis of the ink reservoir **130**. This provides the most even and symmetric lighting of the ink **135** and a relatively uniform glowing of the ink **135**. The light conducting member **140** may be solid throughout it's length, or as in the preferred embodiment, partially hollow at it's upper aspect. Light from the light source **200** is thereby substantially guided down into the central axis into the ink reservoir **130**. The light exits at the bottom tip of the light conducting member **140** and also generally diffuses peripherally from the wall of the light conducting member **140** into the ink **135**. In various embodiments, the light conducting member **140** may protrude into the ink reservoir **130** a distance varying from 1mm up to the full length of the ink reservoir **130**. Preferably, the light conducting member **140** protrudes into the ink reservoir **130** approximately one half of the total length of the ink reservoir **130**.

The upper section **110** comprises electrical components, that are electrically connected with each other, including the light source **200**, a power supply **210**, and a switch **220**. In the preferred embodiment, the light source **200** and the power supply **210** are contained within an electrical housing **230**. The electrical housing **230** makes it more convenient to change the power supply **210**, for example batteries, or the light source **200**. The electrical housing may

also be capable of glowing when electrical current flows through the light source **200**. One or more springs **240** may be inserted above or below the electrical housing **230** to help hold the electrical housing **230** in place when the upper section **110** is connected with the lower section **120** of the writing instrument. At the top of the upper section **110** is the switch **220**.

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The light source **200** is preferably located in proximity to the bottom of the upper section **110**, so that the light source **200** is adjacent to the ink reservoir **130** when the upper section **110** is connected with the lower section **120**. The light source **200** is oriented so as to guide light from the light source **200** down the light conducting member **140** and into the ink reservoir **130**. The light source **200** in the preferred embodiment is an LED. Other light sources, for example light bulbs, may be substituted, as will be recognized by those skilled in the art. The light source **200** is electrically connected with the power supply **210** and the switch **220**. The light source **200** in at least one embodiment emits light of UV wavelength, i.e. "black light". This wavelength of light will result in a fluorescent ink glowing brightly when illuminated by the UV light. In alternative embodiments, multiple or variously colored light sources may also be utilized.

When the switch **220** is turned on, current will flow through the light source **200** from the power supply **210**. The light will then be transmitted by the light conducting member **140** into the ink reservoir **130**, and, in the preferred embodiment, down the generally central axis of the ink reservoir **130**. This will cause the ink **135** within the ink reservoir **130** to illuminate and glow. When the switch **220** is turned off, no current flows through the light source **200** and power is conserved until the illumination of the ink **135** is again desired.

Although in this embodiment, the majority of the writing instrument body **100** is transparent, any portion of the writing instrument body **100** could be translucent or opaque. For example, there may be opaque metal or opaque plastic segments, translucent etchings, advertising, or labels on a portion of the writing instrument body **100**. The ink reservoir **130** may be covered with a partially translucent surface feature, such as advertising or indicia, that will cause the advertising to glow when the switch **220** is turned on. The ink reservoir **130** could also

have opaque indicia that will then be outlined by the illuminated ink **135**. In other embodiments of this invention, advertising or other indicia are applied to the surface of the writing instrument. This may either be in the form of a label applied to the outside or inside of the writing instrument body **100**, or indicia etched directly onto the writing instrument body **100**.

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Referring now also to FIG. 4, the ink transporting member **150** is of a type well known in the art and commonly used in highlighter markers. The ink transporting member **150** connects to the bottom of the ink reservoir **130**. The ink transporting member **150** may be selected from any of those well known in the art and will not be described in further detail herein. The pen tip **160** is in fluid communication with the ink **135** within the ink reservoir **130** via the ink transporting member **150**. The particular type of pen tip is not essential to the present invention. Although in the preferred embodiment, the invention is a highlighter marker with a highlighter type of pen tip **160**, the present invention is not limited only to highlighter types of marking pens and is intended to include various other types of writing instruments.

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The electrical housing **230** and part of the switch **220**, are shown in greater detail in FIG. 5. In the preferred embodiment, the power supply **210** comprises stacked batteries, for example watch batteries, although it is obvious to one skilled in the art that fewer or greater numbers of batteries will be equivalently effective as a power supply **210**. In the preferred embodiment the switch **220** is a plunger type electrical switch well known in the art. As the top of the pen is pressed down and released, the plunger rotates in an alternating sequence between on and off positions. However, various switches, power supplies, and light sources may be utilized. These electrical components are all well known to those in the art, for example in penlights, and their assembly and equivalents need not be discussed in more detail herein.

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The present invention further includes a method of advertising. The advertising method includes constructing a writing instrument capable of illumination of ink **135** in an ink reservoir **130** as described supra. Advertising is placed upon the writing instrument body **100**. The writing instrument is then provided to a consumer or business. The glowing ink will attract the attention

of a consumer or a business to the advertising.

The present invention may be embodied in other specific forms without departing from the essential spirit or attributes thereof. It is desired that the embodiments described herein be
5 considered in all respects as illustrative, not restrictive, and that reference be made to the appended claims for determining the scope of the invention.